



# KENTUCKY EMERGENCY RESPONSE COMMISSION

Kentucky Emergency Management Agency

BIMONTHLY  
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## **Recent Policy Approvals:**

- *No New Policies*

## **LEPC Form or KERC Approved List Updates:**

- *KERC Approved Expenditures for LEPC Grant Funds– **UPDATED**, see attached*

## **KERC Notifications:**

*KERC administrative staff will send all LEPC Forms, KERC Approved Lists, and KERC Policies in an email with attachments for documentation of transaction.*

## **Q&A:**

Question– When should the Public Legal Notice be published in the local newspaper?

Answer– A motion was passed at the January 25, 2018 KERC meeting to accept Public Legal Notices published in the months of December **OR** January. This decision was based on the fact that some LEPCs include their meeting dates for the upcoming year with the legal notice, so the KERC found publishing in December acceptable.

Question– Are LEPCs able to combine funds to purchase right-to-know materials in order to obtain bulk pricing?

Answer– During the November 20, 2018 KERC meeting, a motion was passed to allow multiple LEPCs to combine funds to purchase right-to-know materials in order to receive bulk pricing.

Mike Hilliard, Henry County LEPC Chair and Emergency Management Director, presented a preparedness magnet with examples of items that should be included in emergency kits for shelter-in-place or evacuation due to Hazardous Materials incidents. Please contact Mike if your LEPC would be interested in purchasing magnets for distribution to your community.

## **KERC Contacts:**

Tiffany Sizemore

KERC Program Manager

502-607-5770

tiffany.r.sizemore.nfg@mail.mil

Connie Estill

LEPC Program Coordinator

502-607-5732

connie.g.estill.nfg@mail.mil

Jessica Miller

Extremely Hazardous Substance Planner

502-229-4780

jessica.l.miller263.nfg@mail.mil

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## KENTUCKY EMERGENCY RESPONSE COMMISSION

### Notes from the November KERC Meeting:

- Bidding will soon begin for a state purchased Tier II managing program. Timeline will prohibit use of a new Tier II system for the upcoming reporting year, which begins January 1st. Reporting for the upcoming year will remain the same as previous years. Please share this information with your Tier II facilities. Training will be available once a program has been purchased and is ready for testing and use.
- There will be a \$250 late fee for **ALL** facilities who file Tier II Reports after the March 1st filing deadline. There are **NO** exemptions to this fee, so Category 1 facilities who file late will also be subject to the fee. Please share this information with your Tier II facilities.
- Gallatin County Local Emergency Planning Committee has merged with Northern Kentucky Emergency Planning Committee. This merger results in five counties (Boone, Campbell, Kenton, Gallatin, and Pendleton) from the Northern Region of Kentucky working together to increase efficiency and cooperation in emergency planning and right-to-know. The KERC commends them on their efforts!
- All LEPCs should be working on their EHS Facility Emergency Response Plans. The state began a two year plan update in April 2018 with benchmarks to meet along the way. The benchmarks are designed to help LEPCs with numerous plans disperse the work over the two year period. The benchmarks are:
  - 50% of EHS Plans due by December 2018
  - 75% of EHS Plans due by March 2019
  - 100% of EHS Plans due by July 2019
- LEPC Membership Lists/Cover Pages, Bylaws, and Personal Property Inventories were due on December 1, 2018. KYEM KERC staff sent emails and made phone calls to all LEPCs with information they questioned. Final review of the three required documents took place on Friday, December 7, 2018.
- The KERC Approved Expenditures for LEPC Grant Funds list has been updated, and all changes were approved by the KERC. A copy of the list is attached, but can also be found on SharePoint in the KYEM Forms section, under Sara Title III.
- The KERC will start a LEPC recognition program in January 2019 to publicly recognize exceptional LEPC programs and members! This program could recognize long-time members of your LEPC or a member that goes above and beyond supporting and engaging in your LEPC. Please send the names of members you would like to nominate to Tiffany Sizemore, KERC Program Manager. The member will be invited to the next scheduled KERC meeting to receive a Certificate of Excellence.

### Upcoming KERC Meeting Dates:

Wednesday, January 16, 2019 at 10:00am  
On-Site Registration begins at 9:00am  
Subcommittee meetings begin at 9:30am  
Energy and Environment Cabinet  
Training Room C  
300 Sower Boulevard  
Frankfort, KY 40601



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### **LEPC Documentation Deadlines:**

#### **January**

- No later than January 31, publish public information on committee activities entitled “Public (Legal) Notice Advertisement”

**\*\*Note:** LEPCs must meet at least twice per year (once if no EHS in the planning district) and upload meeting minutes to the Kentucky LEPC Dashboard with thirty (30) days of the meeting.

#### **February**

- No later than February 28, in the Kentucky LEPC Dashboard, upload a photocopy of the “Public (Legal) Notice Advertisement” published. The name and the date of the newspaper must be clearly shown.

#### **March**

- Facilities must submit by March 1: 1) Their annual Tier II Reports; AND 2) A Facility Annual Certification Letter (FACL)

**\*\*Note:** The FACL must state: 1) There are no changes to the EHS Plan; OR 2) The EHS Plan has been revised and the revisions are included with the FACL.

#### **April**

- No later than April 1, review the EHS Facility Emergency Response Plans and fill out an Annual Certification Letter (ACL) in the Kentucky LEPC Dashboard stating: 1) There were no changes; OR 2) The plan has been revised and revisions are included with the ACL.
- Fill out the LEPC Grant Application in the Kentucky LEPC Dashboard. Print, sign, and upload the application.
- Upload documentation of expenditures, bank statements, and the LEPC Bank Ledger in the Kentucky LEPC Dashboard. Invoices and receipts should be uploaded with bank statements for the timeframe the money was spent. All bank statements should be uploaded individually.

#### **June**

- No later than June 1, fill out the LEPC Detailed Budget in the Kentucky LEPC Dashboard identifying how the funds requested on the LEPC Grant Application are to be spent.

#### **July-August**

- The KERC Fee Account Grant Fund Contract will be emailed to all eligible LEPCs. Print, sign required pages, and mail the contract to the LEPC Program Coordinator.

#### **September**

- No later than September 15, the KERC will make the KERC Fee Account Grant awards.

#### **December**

- No later than December 1, in the Kentucky LEPC Dashboard, update the LEPC Membership List and LEPC Membership Cover Page. Name, agency, email address, and phone number should be entered for all members.
- No later than December 1, in the Kentucky LEPC Dashboard, upload the LEPC Bylaws, with certification stating: 1) There were no changes; OR 2) The LEPC Bylaws have been revised and the revisions are included.
- No later than December 1, in the Kentucky LEPC Dashboard, update the LEPC Personal Property Inventory for all items valued over \$500.

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## KENTUCKY EMERGENCY RESPONSE COMMISSION



### **Upcoming KERC Approved Trainings and Conferences:**

No new KERC approved trainings have been posted as this time.

**\*\*Note:** If you would like to attend a training you feel would be beneficial to your LEPC that is not listed on the KERC Approved Training List, email a request to the KERC Program Manager. The request will be forwarded to the KERC Information and Training Committee to be reviewed for approval at the next scheduled KERC meeting. If KERC approval is granted, the training will be added to the KERC Approved Training List.

### **2018 LEPC Allocations:**

Eligible LEPC's 2018 KERC Fee Account Grant allocations have been released. Please ensure you have received your allocation. If you have any concerns, contact the LEPC Program Coordinator.

### **Who We Are:**

Kentucky adopted the Emergency Planning and Community Right-to-Know Act (EPCRA) into law through [Kentucky Revised Statutes \(KRS\) 39E](#) and the Kentucky Administrative Regulations (KAR) found in [106 KAR Chapter 1](#). EPCRA requires that every State have a State Emergency Response Commission (SERC). In Kentucky, the SERC is known as the Kentucky Emergency Response Commission (KERC).

The KERC was established to:

- Implement all provisions related to hazardous substances;
- Develop policies related to the response of state and local governments to releases of hazardous substances;
- Develop standards for planning for these events;
- Develop reporting requirements for hazardous substances;
- Provide information to the public concerning hazardous substances in the community;
- Develop training requirements; and
- Develop requirements for local governments and covered facilities to exercise plans related to hazardous substance response.

For more information on the laws and regulations governing the implementation of EPCRA in Kentucky, consult KRS 39E and 106 KAR Chapter 1 at the Kentucky Legislature website at <http://www.lrc.ky.gov/law.htm>.